

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants Proh. & Excise Dept. - Allegation of acquisition of assets disproportionate to the known sources of income against Sri V. Subba Rao, formerly Depot Manager, IML Depot, Narsimhakonda, Nellore District and presently working as Assistant Commissioner, Prohibition & Excise - Enquiry by Tribunal for Disciplinary Proceedings- Inquiry report in TEC No. 20 of 2007 - Explanation - Penalty of stoppage of four increments with cumulative effect imposed - Orders - Issued.

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REVENUE (VIGILANCE-V) DEPARTMENT

G.O.Rt.No. 864.

Dated:18-06-2010.

Read the following :

1. From the DG, ACB, Letter Rc. No. 151/RCA-NNL/2005, Dated 18.9.2006.
2. From Sri V. Subba Rao, Asst. Commr. P&E, representation dt:27.10.2006.
3. Govt. Memo No. 38117/ Vig. V(2)/ 2005-7, Revenue (Vig. V) Department, Dated 13.2.2007.
4. From the Secretary, T.D.P., Letter Dis. No. S/8/2008, Dated 12.3.2008 in TEC No. 20 of 2007.
5. Govt. Memo No.38117/Vig.V(2)/2005-16, Dt: 5.6.2008 of Rev. (Vig.V) Dept.,
6. From Sri V. Subba Rao, Asst. Commr. P&E, representation dated 20.6.2008.

ORDER:

On the allegation of acquisition of assets disproportionate to the known sources of income against Sri V. Subba Rao, formerly Depot Manager, IML Depot, Narsimhakonda, Nellore Dist., and presently Assistant Commissioner, Prohibition & Excise, the appropriate investigating agency has registered a case in Crime No.12/ACB-RCA-NLR/2005 under section 13(2) r/w 13(1)(e) of the Prevention of Corruption Act 1988 and investigated into the same. Accordingly, in the reference 1st read above, the Director General, Anti-Corruption Bureau has furnished final report along with his recommendations. In the reference 2nd read above, Sri V. Subba Rao, Assistant Commissioner, Prohibition & Excise has submitted his representation and Government, after examination of the matter, have decided to place the individual on his defence before the Tribunal for Disciplinary Proceedings to conduct enquiry on the allegation of disproportionate assets case against him. Accordingly, Sri V. Subba Rao, Assistant Commissioner, Prohibition & Excise has been placed on his

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defence before the Tribunal for Disciplinary Proceedings to conduct inquiry on the allegation of acquisition of assets disproportionate to the known sources of his income to conduct inquiry and report, vide reference 3rd read above.

2. In the reference 4th read above, the Tribunal for Disciplinary Proceedings after conducting regular enquiry, submitted report and its findings in TEC No. 20 of 2007 against Sri V. Subba Rao, Assistant Commissioner, Prohibition & Excise, wherein Member, TDP has held that the charge is proved and recommended for dismissal of the Charged Officer from service.

3. Government have examined the matter with reference to the enquiry report and observed that by virtue of G.O.Ms.No.454, General Administration (Ser.C) Department, Dt:7.11.2002, the requirement of recommendation of penalty by the inquiry authority ie., TDP has been dispensed with. Further in the enquiry report, the charge against the individual is proved. Accordingly, a copy of the enquiry report in TEC No. 20/2007 has been furnished to Sri V. Subba Rao, Assistant Commissioner, Proh. & Excise and he was directed to submit his representation on the finding of Tribunal for Disciplinary Proceedings vide reference 5th read above.

4. In the reference 6th read above, Sri V. Subba Rao, Assistant Commissioner, Prohibition & Excise has submitted his representation and he has submitted that the Member, TDP has not appreciated the evidence on record in true perspective and erroneously held that the charge is proved contrary to the documentary evidence. He has requested to consider his representation in the light of evidence and exonerate him fully on the charge.

5. Government have examined the report of Tribunal for Disciplinary Proceedings in TEC No. 20/2007 and also the representation submitted by the delinquent officer and observed that the representation of Sri V. Subba Rao, Assistant Commissioner, Prohibition & Excise is convincing partly on certain items. Accordingly, Government have decided to impose a penalty of stoppage of four increments with cumulative effect against the individual, keeping in view the findings of Member, TDP.

6. Accordingly and in exercise of the powers conferred under clause (vi) of rule 9 read with sub-rule (1) of rule 20 of A.P.Civil Services (Classification, Control and Appeal) Rules, 1991 and as per Rule 7 of A.P.Civil Services (Disciplinary Proceedings Tribunal) Rules, 1989, the Government hereby impose the penalty of stoppage of 4 (four) increments with cumulative effect on Sri V. Subba Rao, Assistant Commissioner, Prohibition & Excise in respect of disproportionate assets case.

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7. The Commissioner, Prohibition & Excise, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri V. Subba Rao, Assistant Commissioner, Prohibition & Excise (w.e)
through the Commissioner Prohibition Excise, Andhra Pradesh, Hyderabad.
The Commissioner Prohibition Excise, Hyderabad
(with a request to serve on the C.O and to return the served copy to
the Government).

Copy to:

The Secretary, Tribunal for Disciplinary Proceedings, A.P., Hyderabad.
The Director General, Anti- Corruption Bureau, Hyderabad.
The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Hyderabad.
PS to Principal Secretary to Government, Revenue Department.
Revenue (Excise-I) Department.
SF

// Forwarded :: By Order //

SECTION OFFICER.